



Small Business Compliance Advisory Committee (SBCAC) Meeting Minutes on August 23, 2006

Meeting was held at: Fred Weber, Inc, 2320 Creve Coeur Mill Rd, Maryland Heights, MO

Members Present: Dan Bunch, Jack Lonsinger, Bruce Morrison, and Doug Weible

DNR present: Judy Bowman (via teleconference), David Lamb, Dan Williams, Mike Struckhoff, Mike Alesandrini, and Lucy Thompson

Guests present: Joe Kaufman (O'Fallon Casting) and Debbie Wurst (City of St. Louis Air Pollution Control Program)

I. Call to Order

Meeting was called to order at 10:15 a.m. A quorum was present.

II. Minutes

The minutes for the April 20, 2006, meeting was approved.

III. Regional Office Update on Environmental Issues Affecting Businesses

Mike Struckhoff, St. Louis Regional Office (SLRO) Director, presented information on SLRO. Mr. Struckhoff handed out a SLRO organizational chart (see attachment). The St. Louis Region covers a small area with a large number of businesses. St. Louis City and St. Louis County are designated to regulate air pollution.

The economy seems to be going strong. The number of new businesses requiring permits appear to be remaining about the same.

Personnel from the regional office are on a national emergency management plan committee. The committee has been asked to address needs during an emergency and to cut down on fraud. It will take time to prepare the plan.

The recent strong storms with the temporary loss of electricity showed the need for the regional office to have its own emergency plan. An emergency station for our regional office is being set up in a nearby state park.

Those strong storms caused a lot of damage to trees and structures. The department is allowing tree debris to be sent to landfills during cleanup.

Storm water is a big issue in the region. Building uphill from existing structures can cause problems. (wash out, faster storm water, mud, etc.) These issues can only partially be addressed with storm water regulations.

When problems arise concerning any environmental media, the regional office staff contacts the responsible business. The departmental personnel want to make sure the business understands the problem. The company may not agree with the department, but the company will at least know why they receive a Notice of Violation (NOV). The regional office tries to respond to questions as quickly as possible. At least one person in each group is responsible for answering calls each day to minimize response time.

IV. Committee Business

A. Open Positions on the Committee

There are three open positions on the committee.

- One member appointed by the Governor to represent the general public.

- One member appointed by the Senate Minority Leader who is an owner or a representative of small businesses.

- One member appointed by the Department of Natural Resources Director to represent the department.

The committee has been trying to have the positions filled since last year. The committee will contact the Senate Minority Leader, Maida Coleman, with their concerns. Various business leaders will also be contacted for possible recommendations. Names of possible members should be given to Lucy Thompson. David Lamb has indicated the Air Pollution Control Program is willing to present the names as possible candidates to Doyle Childers.

B. Future Meetings:

The next meeting will be scheduled the first part of December in Jefferson City. The staff coordinator for SBCAC, Lucy Thompson, will be responsible for setting up the next meeting and contacting the members.

Walter Pearson has left the Department of Natural Resources. Because of this, the committee now has only four (4) members. The committee has a quorum only when all members are present. In order to make it easier for members to attend the SBCAC meetings, the meetings will be held in Jefferson City until the committee has more members than the minimum required for quorum. In order to provide better communication on quorum issues, the members will supply Lucy Thompson with their cell phone numbers.

V. Working Lunch (during the following discussions)

VI. Update of Stream Bank Stabilization

Landowners are concerned with stream banks eroding on their property. Several state and federal agencies may need to be involved during the stream bank stabilization. In the past, the committee has provided a neutral medium for the discussion between the various agencies and the landowner. We have been requested to keep this on our agenda until the pertinent parties develop a consensus on the best way to address the issues. We did not receive an updated status on this issue. Jack Lonsinger will contact Norb Plassmeyer to get an update for the next meeting.

VII. Update on Ombudsman Activities

The ombudsmen are not Big Brother nor are they compliant officers. The ombudsman program was developed to facilitate communication between the department and Missouri citizens. Their goal is to be the eyes and ears of the director with the rest of the state. The ombudsmen are a tool to bring the department in line with the goals of the director. They strive to make sure that everyone knows the department's goal is compliance. In general, the ombudsmen make sure the correct person addresses a problem.

The director has been having Town Hall meetings with the public. These meetings are to invite communication with the communities and to present a positive side of the department.

In 1500 ombudsman reports, about 90% are positive and about 5% present an articulation of issues that are resolved in a very short time. The ombudsmen are doing proactive outreach.

The department is now looked at in a positive manner. The regulated community's perception of the department is changing.

VIII. Update of Legislation, Regulations, and Activities

David Lamb provided the update from the Air Pollution Control Program.

The solvent metal cleaning rule in St. Louis (10 CSR 10-5.300) is being updated. The workgroup formed to change this rule worked to make this rule easier to understand. Equipment was changed, exemptions were added and consolidated, and the language was clarified. The proposed effective date is November 30, 2006. The program will next look at the similar regulation in Kansas City.

The emission fee (\$34.50/ton of pollution) will be presented for approval at the next Missouri Air Conservation Commission meeting. The program is asking for a continuation of this year's fee. (Changes in federal government funding may need to be addressed in next year's fee request.) In addition, the commission will be asked to approve moving the Emission Inventory Questionnaire (EIQ) submittal to June 1 for all facilities. This date will be more in line with the end of our fiscal year.

The air pollution control program is preparing to amend the odor regulations. The changes will allow the use of different instruments for determining odor issues and will affect how class I CAFOs are screened. The program is not trying to make it stricter. Some of the issues are controversial so the program is unsure what type of comments will be received.

The open burning workgroup finished in February. Four rules were consolidated into one rule. This rule was simplified. No additional requirements were added. The 60-day comment period will start in mid-September.

In December 2005 the federal government changed how dry cleaners are regulated for air pollution issues. They no longer need an air pollution control operating permit unless they generate enough air pollution to trigger a permit. If a dry cleaner does not need an air pollution operating permit, they will no longer need to submit an EIQ. The EIQ they submitted this year with 2005 data is the last one they will need to submit. Dry cleaners will still need to do equipment checks and will be subject to air pollution inspections. In 2008, they will need to use leak detection equipment monthly. The program will be sending out a letter and a fact sheet explaining the changes. The

SBCAC would like to see the letter and fact sheet before it goes out to anticipate questions they may need to field.

IX. Public Comment and Correspondence

Marie Steinwachs, with University of Missouri Extension, has received a grant from EPA to create an Environmental Assistance Center within the University of Missouri Extension to provide compliance and waste reduction assistance to businesses. She was not available for the SBCAC meeting, but she asked that a letter be given to the committee. This letter (see attached) requests that if possible, the center would “like to have someone from the SBCAC to serve in an advisory role to this project.” The letter was handed out to the members just before the meeting was officially adjourned. This issue will be addressed at the next meeting.

X. Adjourn

The meeting was adjourned at 12:15 because of time conflicts for some of the members. The meeting continued without a quorum (Dan Bunch and Jack Lonsinger had to leave early.) The rest of the items on the minutes were addressed after the meeting was officially adjourned and were without a quorum.

XI. Initial Assistance Visits

Debby Wurst, city of St. Louis Air Pollution Control Program, discussed the city’s new Initial Assistance Visits (IAV) initiative. She has completed 38 IAVs since March. The visits were initiated through city source registrations, cold cleaner reviews and paint booth registrations, and initial and additional permits. They have received 10 surveys from the IAVs. All were positive.

Mike Struckhoff discussed the Department of Natural Resources’ IAVs. They have been doing IAVs on companies that are new hazardous waste generators and on companies that receive a land disturbance permit. While the response has been positive, there are still a lot of companies in the St. Louis region who decline an IAV.

XII. Miscellaneous

Mike Alesandrini addressed two topics where the department needs to get the word out to (small) businesses. He suggests the SBCAC become involved. Both topics will be scheduled for discussion in the next meeting.

1. Missouri Risk-Based Corrective Action (MRBCA) is a process to clean up property to a level appropriate to future property use. The committee would like to have a speaker give general information on this procedure at the next meeting. (The following was not discussed during the meeting. Additional information can be found at:
<http://www.dnr.mo.gov/env/hwp/mrbca/mrbca.htm> and
<http://www.dnr.mo.gov/pubs/pub2187.pdf>
2. There are indications that Kansas City will soon be a non-attainment area. How can we let small businesses know how it will affect them? There is a stakeholders' meeting on this issue September 12, 2006. What are we doing to get the word out? Can more be done?